

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

KIMBERLY VINSON,

Plaintiff,

v.

COMMISSIONER, SOCIAL SECURITY
ADMINISTRATION,

Defendant.

1:14-cv-01120-TC

FINDINGS AND RECOMMENDATION

COFFIN, Magistrate Judge:

On July 14, 2014, plaintiff filed a complaint for review of the final decision of the commissioner (ECF No. 1). The following day, the court entered a scheduling order that, among other things, ordered that plaintiff file a memorandum in support of the petition for review not later than sixty (60) days after service of the answer. The Commissioner filed an answer and the administrative record on December 2, 2014. Plaintiff failed to file either an opening brief or a motion for extension of time within sixty (60) days after the Commissioner filed an answer.

Plaintiff was ordered to show cause in writing by February 25, 2015 why this matter should not be dismissed for failure to follow a court order and failure to prosecute and advised

that failure to respond to the order may result in the dismissal of this action. To date, plaintiff has failed to respond to the order to show cause.

Accordingly, this action should be dismissed for failure to follow a court order and failure to prosecute.

The above Findings and Recommendation will be referred to a United States District Judge for review. Objections, if any, are due no later than fourteen days after the date this order is filed. The parties are advised that the failure to file objections within the specified time may waive the right to appeal the District Court's order. *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991). If no objections are filed, review of the Findings and Recommendation will go under advisement on that date. If objections are filed, any party may file a response within fourteen days after the date the objections are filed. Review of the Findings and Recommendation will go under advisement when the response is due or filed, whichever date is earlier.

Dated this 4 day of March 2015.



THOMAS M. COFFIN
United States Magistrate Judge